

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

At the outset, the undersigned counsel for Applicants would like to express her gratitude to Examiner Gray for the courtesies extended during their telephone discussion on January 12, 2010. Counsel had inquired as to alternative language to "adapted to" that the Examiner would suggest in order to ensure that the relative passages in the claims are considered positive limitations. The Examiner indicated that he would consider "configured to" as being synonymous with "adapted to" and that his preference would be to simply remove the "adapted to" wording. Consistent with these discussions, claim 1 has been amended to remove the same.

In the Office Action of October 15, 2009, claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cook (U.S. Patent No. 4,637,396). For at least the following reasons, Applicants respectfully traverse these rejections.

As set forth above, independent claim 1 recites a catheter assembly comprising, *inter alia*, an outer catheter and an inner catheter that can be inserted into said outer catheter, said outer catheter being comprised an outer catheter body, and an outer catheter hub attached to a proximal end of said outer catheter body, said inner catheter being comprised a hard proximal part, and an inner catheter hub formed at a proximal end of the proximal part. As amended above, claim 1 further recites that when said outer catheter hub and said inner catheter hub are disengaged from each other, said inner catheter is removable from said outer catheter and, when said outer catheter hub and said inner catheter hub are engaged with each other, said two catheters do not rotate and move relative to each other,

and at least a part of said inner catheter protrudes from a distal end of said outer catheter, with the distance between the distal end of said outer catheter and a distal end of said inner catheter being no more than 10 mm.

As explained more fully in the specification, when the two hubs are engaged with each other the two catheters are fixed to each other. Thus, the operator only needs to manipulate a single catheter to insert the catheter assembly comprising the inner and outer catheters. (See, Paragraph [0111] of published application). However, once the catheter assembly has reached the target site, the two hubs are disengaged and the inner catheter can be withdrawn while leaving the outer catheter in place in the blood vessel. (See, Paragraphs [0112] and [0125] of the published application).

The primary reference relied upon by the Examiner, Cook, is directed to a balloon catheter 10 including a catheter tube 11 and a flexible inner member 13. A balloon 12 is disposed coaxially about the inner member 13. Further, the proximal end of the balloon 12 is fixed and sealed to the distal end of the catheter tube 11 and the distal end of the balloon 12 is fixed and sealed to the distal end of the inner member 13. See, Claim 1 of Cook. Thus, in contrast to the claimed invention, the inner member 13 and the catheter tube 11 are fixed to one another by the balloon 12 and the inner member is not removable from said outer catheter. As explained more fully in Cook at Col. 3, lines 51-58, due to the particular fabric of the balloon, the catheter 10 is constructed such that the inner member 13 and the catheter tube 11 are fixed against relative longitudinal displacement.

Accordingly, Applicants respectfully submit that Cook does not disclose a catheter arrangement such that "when said outer catheter hub and said inner

catheter hub are disengaged from each other, said inner catheter is removable from said outer catheter," as now positively recited in claim 1.

The remaining dependent claims define further distinguishing features associated with the claimed invention. These dependent claims are allowable at least by virtue of their dependence from allowable independent claim 1. Thus, a detailed discussion of the additional distinguishing features recited in these dependent claims is not set forth at this time.

In view of the above amendments and remarks, Applicants respectfully submit that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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